

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA  
2007 JAN 11 PM 3:01  
OFFICE OF THE CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)
	)
Plaintiff,	)
	)
vs.	) 8:06CV288
	)
\$7,124.00 IN UNITED STATES CURRENCY,	) ORDER
\$2,468.00 IN UNITED STATES CURRENCY,	)
2003 JEEP LIBERTY, VIN 1J4GL58K43W582172,	)
Defendants.	)

NOW ON THIS 11/14 day of January, 2007, this matter comes on before the Court upon the Stipulation of the parties (Filing No 24). The Court reviews the file and the Stipulation, and, being duly advised on the premises, finds as follows:

1. Five hundred dollars of the Defendant \$7,124.00 in United States currency shall be returned to the Claimant, Robert Hintz, by delivering the same to the trust account of his attorney, W. Randall Paragas. The remaining balance, viz., \$6,624.00, shall be considered forfeited to the United States and shall be disposed of by the United States Marshal for the District of Nebraska ("Marshal") according to law.
2. Upon Mr. Paragas' receipt of said \$500.00, he shall file a Receipt with this Court.
3. The Defendant 2003 Jeep Liberty, VIN 1J4GL58K43W582172, shall be returned to the Claimant, Brant Borg, at a time and place mutually agreed-upon by counsel. Mr. Borg will file a Receipt with the Court at the time he receives the vehicle.
4. The Claimant, Brant Borg, will pay the \$3,206.66 costs the Marshal has incurred

maintaining custody of the Jeep from the date it was seized up to November 30, 2006. Mr. Borg will also pay the Marshal's costs, calculated at \$7.45 per day, up to the day the Marshal delivers the vehicle to Mr. Borg.

5. Mr. Borg will also pay the United States \$1,600.00. This sum represents approximately twenty percent of the Jeep's value. This sum shall be forfeited to the United States and shall be disposed of by the Marshal according to law.

6. The Defendant \$2,468.00 in United States Currency shall be considered forfeited to the United States and shall be disposed of by the United States Marshal for the District of Nebraska according to law.

7. Pursuant to this Court's Order dated March 30, 2006, (Filing No. 6), the United States Marshal for the District of Nebraska ("Marshal") has published notice of his intent to dispose of the properties in such a manner as the Attorney General may direct. An Affidavit of Publication was filed herein on May 18, 2006(Filing No. 13). In response to said published notice, no person or entity has filed a Petition setting forth any legal or equitable interest in the Defendant properties.

8. The parties' Stipulation should be approved.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The parties' Stipulation is hereby approved.

B. Five hundred dollars of the Defendant \$7,124.00 shall be returned to the Claimant, Robert Hintz, by delivering the same to his attorney of record, W. Randall Paragas. The Marshal shall deliver said amount by making payment to Mr. Paragas' Trust Account. The remaining balance, viz., \$6,624.00, is hereby forfeited to the United States. All right, title or interest in or to the Defendant property held by any person or entity is hereby forever barred and foreclosed.

C. The Marshal shall dispose of said \$6,624.00 in United States Currency in accordance with law.

D. Upon Mr. Paragas' receipt of said \$500.00, he shall file a Receipt with this Court.

E. The Defendant 2003 Jeep Liberty, VIN 1J4GL58K43W582172, shall be returned to the Claimant, Brant Borg, at a time and place mutually agreed-upon by counsel.

F. Upon Mr. Borg's receipt of said vehicle, he shall file a Receipt with this Court.

G. The Claimant, Brant Borg, will pay the \$3,206.66 costs the Marshal has incurred maintaining custody of the Jeep from the date it was seized up to November 30, 2006. Mr. Borg will also pay the Marshal's costs, calculated at \$7.45 per day, up to the day the Marshal delivers the vehicle to Mr. Borg.

H. Mr. Borg will also pay the United States \$1,600.00. This sum represents approximately twenty percent of the Jeep's value. The \$1,600.00 is hereby forfeited to the United States. All right, title or interest in or to the \$1,600.00 held by any person or entity is hereby forever barred and foreclosed.

I. The Marshal shall dispose of said \$1,600.00 in United States Currency in accordance with law.

J. The Defendant \$2,468.00 in United States Currency is hereby forfeited to the United States. All right, title or interest in or to the Defendant property held by any person or entity is hereby forever barred and foreclosed.

K. The Marshal shall dispose of said \$2,468.00 in United States Currency in accordance with law.

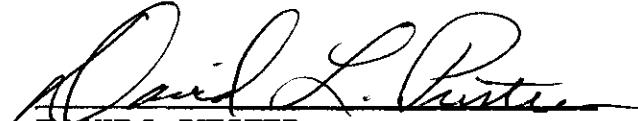
L. Pursuant to this Court's Order dated March 30, 2006 (Filing No. 6), the Marshal has

published notice of his intent to dispose of the properties in such a manner as the Attorney General may direct. An Affidavit of Publication was filed herein on May 18, 2006(Filing No. 13). No person or entity has filed a Petition, in response to said published notice, setting forth any legal or equitable interest in the subject properties.

M. Upon Mr. Paragas' receipt of the \$500.00 in United States Currency, as mentioned above, he shall file a Receipt for said amount. Upon Mr. Borg's receipt of the 2003 Jeep Liberty, as mentioned above, he shall file a Receipt for the vehicle. Upon the filing of said Receipts, this Court shall enter a Judgment in this action.

*Jan. 11, 2007*

BY THE COURT:

  
DAVID L. PIESTER  
UNITED STATES MAGISTRATE JUDGE

Prepared and submitted by:

Nancy A. Svoboda (#17429)  
Attorney for the Plaintiff  
1620 Dodge Street, Suite 1400  
Omaha, Nebraska 68102-1506  
(402) 661-3700

Approved as to form and content:

\$7,124.00 IN UNITED STATES CURRENCY,  
\$2,468.00 IN UNITED STATES CURRENCY,  
2003 JEEP LIBERTY, VIN 1J4GL58K43W582172,  
Defendant,

BRANT BORG, Claimant

By:

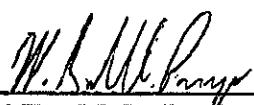


ALAN G. STOLER (#15764)

Attorney at Law  
1823 Harney St., #1004  
Omaha, NE 68102  
(402) 346-1733

ROBERT HINTZ, Claimant

By:



W. RANDALL PARAGAS (#18382)

Attorney at Law  
9202 W. Dodge Rd., #307  
Omaha, NE 68114  
(402) 296-2300